

USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

33. Water Quality Impact Assessments

(See Zoning Ordinance §78-304.4(k), *Water Quality Impact Assessments*)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

What is a water quality impact assessment?

A water quality impact assessment is a technical plan and report that describes existing features and proposed features on certain lands in the Town. It is a special requirement of the Chesapeake Bay Preservation Area Overlay District (CBPAOD), which encompasses the entire Town. A water quality impact assessment sometimes is required for development and land disturbance, and helps the landowner and the Town understand how the activity will affect the water quality of Town streams that flow into the Potomac River, which in turn flows into the Chesapeake Bay. Evaluation of the water quality impact assessment ensures that development activity will minimize disruption to the natural functions of sensitive lands.

Within the CBPAOD, there are three types of areas: (1) Resource Protection Areas or RPAs (generally, 100 feet on either side of all streams), (2) Intensely Developed Areas (downtown Herndon), and (3) Resource Management Areas or RMAs (all other land in Herndon.)

A water quality impact assessment is required for:

- Any application for development or land disturbance in an RPA.
- Any application for development or land disturbance outside of the RPA if the Zoning Administrator determines that the assessment is necessary because of the unique characteristic of the site or intensity of the proposed use.

There are two types of water quality impact assessment: major and minor.

When is a major or minor water quality impact assessment required?

A water quality impact assessment is almost always associated with a development application such as a Land Disturbance Permit, Site Plan, Single Lot Development Plan, Subdivision Site Plan, or Special Exception. Therefore, the WQIA is submitted in association with the development application. A WQIA is required:

	For Land Inside the RPA	For Land Outside the RPA
Minor WQIA (for land disturbance of up to 5,000 square feet)	Required	Maybe required depending on the type of development or the properties of the land being disturbed
Major WQIA (for land disturbance exceeding 5,000 square feet.)	Required	Maybe required depending on the type of development or the properties of the land being disturbed

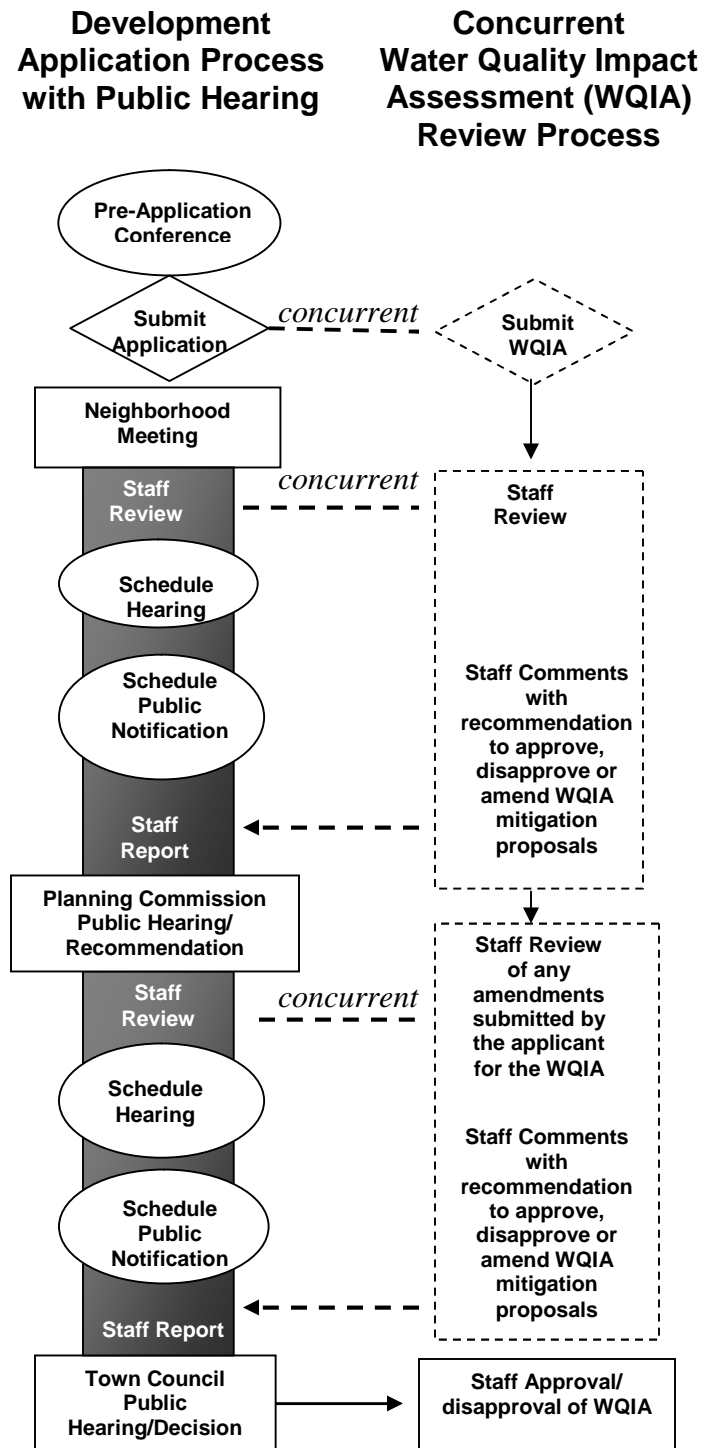
What are the requirements for a water quality impact assessment?

The attached table, "Requirements for Submittal of a Water Quality Impact Assessment under

§78-304.4 of the Herndon Zoning Ordinance” describes the specific requirements for submitting a WQIA to the Town for review. Note, a major WQIA must be certified by a professional engineer or surveyor.

What happens after the water quality impact assessment is submitted to the Town?

The WQIA is reviewed concurrently with the associated development application, and affects whether the staff recommends approval of the associated application. In the case of a development application that otherwise requires a public hearing, the process is shown in the flow chart below.



Need more information?

Have a question on required permits, the permit process, or application requirements? Call or make an appointment to see a member of the staff in the **Department of Community Development at 703-787-7380**.

Have a question regarding building permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850**.

Visit the Town of Herndon on the web at www.herndon-va.gov for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

User's Guide to the Zoning Ordinance Series

1. Neighborhood Meetings and Public Participation in the Planning and Zoning Process
2. Zoning Map Amendments
3. Signs
4. Special Exceptions
5. Site Plan Review Procedures
6. Single Lot Development
7. Chesapeake Bay Provisions
8. Traffic Impact Studies
9. Subdivision Site Plans
10. Unified Commercial Subdivisions
11. Performance Guarantees
12. Heritage Preservation Regulations
13. Board of Zoning Appeals
14. Conducting a Business in the Home
15. Fences
16. Accessory Structures
17. Summary of Permitted and Allowed Uses in the Zoning Districts
18. Summary of Dimensional Standards in the Zoning Districts
19. Commercial Vehicle Parking in Residential Districts
20. Parking on Lots with Single-Family Detached Dwellings
21. Landscape and Buffer Requirements
22. Explanation of Variances, Waivers, Adjustments, and Exceptions
23. Fee Schedule
24. Temporary Use Permits, Special Events
25. Day Care, Child Care, Preschool and Home Day Care
26. Zoning Inspection and Zoning Appropriateness Permits
27. Written (Mailed) Notification to Adjacent Property Owners for Scheduled Public Hearings
28. Refuse Collection on Private Property
29. Exterior Lighting Standards
30. Vacating a Street Right-of-Way
31. Portable Storage Units
32. Building Location Surveys
33. Water Quality Impact Assessments
34. Chesapeake Bay Provisions for Homeowners: Step by Step Approval Process for Single-Family Detached and Duplex Dwellings
35. Roll-Off dumpsters
36. Bed and Breakfast Establishments

Requirements for Submittal of a Water Quality Impact Assessment under Section 78-304.4 of the Herndon Zoning Ordinance February 6, 2007 FOR USE BY PREPARERS and REGULATORY REVIEWERS			
✓		Minor	Major
	Four copies of site drawings that:	✓	✓
	are drawn to scale	✓	✓
	are certified by a professional engineer or land surveyor as complete and accurate		✓
	include a WQIA cover sheet	✓	✓
	are accompanied by a Town application form filled out	✓	✓
	are accompanied by the review fee	✓	✓
	Plan content requirements include:		
	data to demonstrate that the undisturbed buffer area, together with the enhanced vegetative plantings and any required BMP, retards runoff, prevents erosion, and filters non-point source pollution to the equivalent of the full undisturbed 100-foot buffer area, which shall be deemed to achieve a 75 percent reduction in sediments and a 40 percent reduction in nutrients	✓	✓
	Location of the components of the CBPA including the 100-foot buffer area component of the RPA	✓	✓
	Location and nature of the proposed encroachment into the buffer area including type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious surfaces; and existing private water supply systems or sewage disposal systems to include reserve drain field sites	✓	✓
	Type and location of proposed BMPs, if necessary, to mitigate the proposed encroachment	✓	✓
	Location of existing, on-site vegetation, including the number and type of trees and other vegetation, to be removed in the buffer to accommodate the encroachment or alteration	✓	✓
	Re-vegetation plan that supplements the existing buffer vegetation in a manner that provides for pollutant removal as well as erosion and runoff control, in accordance with the <i>Riparian Buffers Modification and Mitigation Guidance Manual</i> , approved by Chesapeake Bay Local Assistance Board on September 15, 2003	✓	✓
	Hydro geological component with:		✓
	existing topography, soils, hydrology and geology of the site and adjacent lands		✓
	impacts of the proposed development on topography, soils, hydrology and geology on the site and adjacent lands		✓
	disturbance or destruction of wetlands and justification for such action		✓
	disruptions to existing hydrology including wetland and stream circulation patterns		✓
	description and source location of proposed fill material		✓
	estimation of predevelopment and post-development pollutant loads in runoff		✓

Requirements for Submittal of a Water Quality Impact Assessment under Section 78-304.4 of the Herndon Zoning Ordinance February 6, 2007 FOR USE BY PREPARERS and REGULATORY REVIEWERS			
✓		Minor	Major
	estimation of percent increase in the on-site impervious surface and types of surfacing materials used		✓
	percent of site to be cleared for the project		✓
	anticipated duration and phasing schedule or construction project		✓
	acquisition of all requisite permits from all applicable agencies necessary to develop the project		✓
	<i>Proposed mitigation measures for the potential hydro geological impact, such as:</i>		✓
	erosion and sediment control concepts (minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, schedule and personnel for site inspections)		✓
	Proposed stormwater management system		✓
	creation of wetlands to replace those lost		✓
	minimizing cut and fill		✓
	Identification of existing characteristics and conditions of sensitive lands included as components of Chesapeake Bay preservation areas		✓
	Identification of the natural processes and ecological relationships inherent in the portion of the CBPA located on the site and an assessment of the impact of the proposed use and development on these processes and relationships		✓